

19-6-319 Remedial action investigation report -- Remedial action plan implementation -- Enforcement provisions.

- (1) Upon receipt of a remedial action investigation report for a proposed national priority list site or a scored site, the executive director shall:
 - (a) review the report;
 - (b) provide a period for public comment; and
 - (c) issue an order defining the remedial action plan for the facility.
- (2)
 - (a) To implement the remedial action plan, the executive director shall seek to reach an agreement with all responsible parties to perform the remedial action.
 - (b) In reaching an agreement for a proposed national priority list site, the executive director shall follow procedures established by the National Contingency Plan to avoid inconsistent state and federal action.
 - (c) The executive director may define in the agreement the remedial action required and the time limits for completion of the remedial action.
 - (d) If the responsible parties fail to perform as required under an agreement entered under the authority of this section, the executive director may take action to enforce the agreement.

Renumbered and Amended by Chapter 112, 1991 General Session